

**UNITED STATES FEDERAL COURT
SOUTHERN DISTRICT**

RENAE WARREN, an individual;

Plaintiff,

vs.

**WALMART, INC., a
corporation; and
JOHN AND JANE DOES 1-5**

Defendant(s)

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Case No.: 3:22-cv-390-DPJ-FKB

**COMPLAINT
(Trial by Jury Requested)**

COMES NOW, the Plaintiff, Renae Warren, by and through her counsel, S. Everett Pepper of the law firm Pepper & Odom, P.C. and files this Complaint against the Defendants, Walmart, Inc.; John and Jane Does 1-5, in support thereof would respectfully show unto this Honorable Court the following facts and matters, to wit:

PARTIES

1. Plaintiff, Renae Warren, an individual, is a resident of Madison County, who resides at 6811 Old Canton Road, Apartment 2204, Ridgeland, MS 39157.
2. Defendant Walmart is a foreign corporation, with its principal place of business in Arkansas and authorized to do business within the state of Mississippi which may be served with process of service upon its registered agent, CT Corporation System, located at 645 Lakeland East Drive, Suite 101, Flowood, MS 39232 or by other means provided by F.R.C.P. Rule 4.

3. Defendants John and Jane Does 1-5, (hereinafter known as Defendants), are fictitiously named Defendants whose identity is unknown to Plaintiff but may be proper Defendants to this Civil Action pursuant to F.R.C.P.

JURISDICTION AND VENUE

4. This Honorable Court has jurisdiction over this matter because the amount in controversy exceeds seventy-five thousand (\$75,000.00) exclusive of interest and cost.
5. Venue is proper in US Federal Court Southern District as Defendant Walmart is an out of state corporation.

FACTUAL ALLEGATIONS

6. On or about August 16, 2019, the Plaintiff, as an invitee, visited a Walmart Supercenter believed to be owned and operated by the Defendant Walmart, Inc. located in Madison County, Mississippi for the purpose of purchasing merchandise.
7. While in the Defendant's store, the Plaintiff slipped in a substance and fell to the ground.
8. As a result, the Plaintiff sustained severe bodily injuries.

I.

FIRST CAUSE OF ACTION: NEGLIGENCE-PREMISE LIABILITY

9. The Plaintiff re-alleges all prior paragraphs of the complaint as if set out fully herein.
10. On or about August 16, 2019, Plaintiff was injured as described above while shopping at the Defendant's Grandview Blvd store when she slipped and fell on a substance that was located on the surface of the floor causing the Plaintiff severe injuries as set forth hereinabove.

11. As a direct and proximate consequence of the Defendants' negligence in maintaining its premises, Plaintiff has been caused to suffer severe bodily injuries.

II.

RECKLESSNESS AND WANTONNESS

12. The Plaintiff re-alleges all prior paragraphs of the complaint as if set out fully herein.
13. On or about August 16, 2019, Plaintiff was injured as described above while shopping at the Defendant's Grandview Blvd store when she slipped and fell on a substance that was located on the surface of the floor causing the Plaintiff severe injuries as set forth hereinabove.
14. As a direct and proximate consequence of the reckless and/or wanton conduct of the Defendants in failing to maintain the premises in a safe manner the Plaintiff has incurred damages as described above.

III.

NEGLIGENT RECKLESS, AND WANTON SUPERVISION IN TRAINING

36. The Plaintiff re-alleges all prior paragraphs of the complaint as if set out fully herein.
37. The Defendants, Walmart, Inc. and John and Jane Does 1-5, were under an obligation and duty to train employees who handle and maintain the premises for customers to shop, walk, and ambulate safely so as to not cause any unreasonable danger for customers of the store.
38. These Defendants were under an obligation and duty to train and supervise store employees to keep clean and maintain all aisle ways and common walkways of dangerous conditions. The Defendants' failure to properly train its employees directly resulted in the Plaintiff's injuries as describes above.

39. As a direct and proximate consequence of the Defendants' negligent, reckless, and wanton training and supervision, Plaintiff was injured as described above.

IV.

NEGLIGENT, RECKLESS, AND WANTON MAINTENANCE

40. The Plaintiff re-alleges all prior paragraphs of the complaint as if set out fully herein.

41. The Defendants and fictitious parties John and Jane Does 1-5 were under a duty and obligation to properly maintain and clean Walmart and breached this obligation by failing to properly clean floor surfaces resulting in the Plaintiff slipping and falling on a substance spilled on the floor of which the Defendants knew or should have known was present.

IV.

CAUSATION

39. Plaintiff re-alleges and incorporates all preceding paragraphs as if fully set out herein.

40. All the above damages were directly and proximately caused by the combined and concurring negligent and/or wanton misconduct of the above-mentioned Defendant and Fictitious Defendants on the occasion of the aforesaid incident.

V.

DAMAGES

41. As a result of the incident, which is the subject of this action, Plaintiff has suffered and seeks to recover for the following injuries and damages:

- (a) Past medical bills;
- (b) Future medical bills;
- (c) Past physical pain and mental anguish;

- (d) Future physical pain and mental anguish;
- (e) She has otherwise been injured and damaged.
- (f) And all other economic and non-economic damages that the Plaintiff may be entitled to by law.

WHEREFORE, Plaintiff demands judgment against the Defendants, separately and severally, for compensatory damages and punitive damages, within the jurisdictional limits of this Court, which will fairly and adequately compensate the Plaintiff for injuries and damages sustained, together with interest from the date of injury, and the interest and costs of this proceeding.

Respectfully submitted this 11th day of July, 2022.

Respectfully submitted,
/s/ S. Everett Pepper
S. Everett Pepper, Esq.
Attorney for Plaintiff

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